

**EXHIBIT D**

C#001

**SUPREME COURT OF THE STATE OF NEW YORK**  
**COUNTY OF BRONX, PART: IA-15**

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**SHAARILLE LINZY,**

X  
Index No.: 23280/2020E

Plaintiff,

-against-

Hon.

**Ben R. Barbato**

**JOSE A. ALEMAR, AMERICAN UNITED  
TRANSPORTATION INC. and AMERICAN  
UNITED TRANSPORTATION II, INC.,**

Justice Supreme Court

Defendant(s).

X

The following papers numbered 1 to \_\_\_\_\_ were read on this motion ( NYSCEF Seq. No. 001 ) for  
**CONSOLIDATION/Joint TRIAL** noticed on July 1, 2021.

Notice of Motion - Order to Show Cause - Exhibits and Affidavits Annexed	NYSCEF No(s). 13-19
Answering Affidavit and Exhibits	NYSCEF No(s).
Replying Affidavit and Exhibits	NYSCEF No(s).

Upon the foregoing papers, it is ordered that this motion is **DENIED** notwithstanding that it is submitted on default and without opposition submitted thereto. Plaintiff moves to consolidate this action with Shaarille Linzy v. Uber Technologies, Inc., Index No. 801741/2021E, Bronx County. Upon review of the courts file, it appears that the action has been removed to the United States District Court, Southern District (see NYSCEF No. 17, under index no. 801741/2021E).

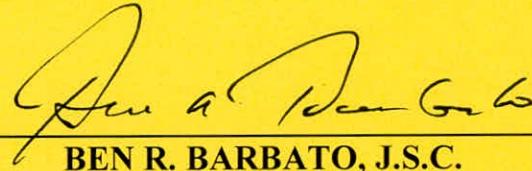
This decision constitutes the Order of the Court.

Motion is Respectfully Referred to Justice: \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: 11/10/2021

Hon.



**BEN R. BARBATO, J.S.C.**

1. CHECK ONE.....  
2. MOTION IS.....  
3. CHECK IF APPROPRIATE.....

- CASE DISPOSED IN ITS ENTIRETY       CASE STILL ACTIVE  
 GRANTED       DENIED       GRANTED IN PART       OTHER  
 SETTLE ORDER       SUBMIT ORDER       SCHEDULE APPEARANCE  
 FIDUCIARY APPOINTMENT       REFEREE APPOINTMENT